

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
Holding Session in Houston

UNITED STATES OF AMERICA)
)
 v.) Case No. 4:11CR00113-001
)
BEN HARRIS ECHOLS, M.D.)
 Defendant.)

Amended ORDER TO REDUCE TERM
OF IMPRISONMENT TO TIME SERVED

BEFORE THE COURT is a motion filed by the Director of the Federal Bureau of Prisons, through the United States Department of Justice, pursuant to 18 U.S.C. § 3582(c)(1)(A)(i), seeking a modification of the term of imprisonment of the defendant, Ben Harris Echols, to time served, and commencement of a three-year term of supervised release previously imposed. The court finds:

1. Ben Harris Echols was convicted of violation of 18 U.S.C. § 1349, Conspiracy to Commit Health Care Fraud; and three counts of 18 U.S.C. § 1035 and § 2, False Statement Relating to Health Care Matter.

2. Mr. Echols was sentenced on March 14, 2013, in the United States District Court for the Southern District of Texas, to a total term of imprisonment of 63 months, followed by a three-year term of supervised release.

3. Mr. Echols, age 64, suffers from end-stage renal disease. He has suffered a transient ischemic attack, with change in the cerebral hemispheres. He has a number of comorbid conditions and his prognosis is grave. His life expectancy is life expectancy is estimated to be less than 18 months.

4. Title 18 U.S.C. § 3582(c)(1)(A)(i) authorizes the court, upon motion of the Director of the Bureau of Prisons, to modify a term of imprisonment upon the finding that extraordinary and compelling reasons warrant the reduction. The Director of the Bureau of Prisons contends, and this court agrees, that the Defendant's terminal medical condition and limited life expectancy constitute extraordinary and compelling reasons that warrant the requested reduction.


IT IS THEREFORE ORDERED that the defendant's term of imprisonment is hereby reduced to the time he has already

served.

IT IS FURTHER ORDERED that the defendant shall be released from the custody of the Federal Bureau of Prisons as soon as his medical condition permits, the release plan is implemented, and travel arrangements can be made.

IT IS FURTHER ORDERED that upon ^{his}~~her~~ release from the custody of the Federal Bureau of Prisons, the defendant shall begin serving the three-year term of supervised release previously imposed.

DONE AND ORDERED THIS 9th DAY OF JANUARY ²⁰¹⁴~~2013~~.

A handwritten signature in black ink, appearing to read "Sim Lake", is written over a horizontal line.

Sim Lake, Judge
UNITED STATES DISTRICT COURT